IN THE CLAIMS

1.   (previously presented) A method comprising:

entering via an electronic prescription creation device a prescription for a drug;

viewing a drug use evaluation alert on a graphical user interface of the electronic prescription creation device;

viewing on the graphical user interface a query of whether a user desires to override the drug use evaluation alert;

entering via the electronic prescription creation device an override of the drug use evaluation alert;

entering via the electronic prescription creation device a reason for overriding the drug use evaluation alert;

transmitting the prescription, override, and reason for overriding the drug use evaluation alert over a network directly to a prescription processor;

wherein the prescription processor, upon receipt of the prescription, attempts to process the prescription and actuates a second drug use evaluation, and if a resultant drug use evaluation alert is correspondent to said override of the user, the prescription processor processes the prescription.

2.   (original) The method of claim 1, further comprising:

viewing on the graphical user interface a plurality of representations each corresponding to a motive for overriding the drug use evaluation alert.

3.   (original) The method of claim 2, the plurality of representations including a representation that a patient is no longer taking a conflicting drug.

4.   (original) The method of claim 2, the plurality of representations including a representation that a patient is stabilized on the drug for the prescription.

5.   (original) The method of claim 2, the plurality of representations including a representation that a patient is not allergic to the drug for the prescription.

6.   (original) The method of claim 2, the plurality of representations including a representation that a dosage of the drug is appropriate for a patient's weight.

7.   (original) The method of claim 2, the plurality of representations including a representation that a dosage of the drug is appropriate for a patient's condition.

8.   (original) The method of claim 2, the plurality of representations including a representation that a patient is not pregnant.

9.   (original) The method of claim 2, further comprising:

        selecting via the electronic prescription creation device at least one of the plurality of representations.

10-13. (canceled)

14.   (previously presented) The method of claim 1, the prescription being an electronic prescription.

15.   (canceled)

16.   (currently cancelled) ~~The method of claim 15, the information including the drug use evaluation alert.~~

17. (original) The method of claim 1, the drug use evaluation alert being at least one of:

a drug-allergy alert;

a drug-disease alert;

a drug-drug interaction alert;

a drug-food interaction alert;

an overuse alert;

a drug-lab conflict alert;

a high dose alert;

a tobacco use alert;

an ingredient duplication alert;

an excessive drug quantity alert;

an under-use alert;

an iatrogenic condition alert;

an excessive duration alert;

a low dose alert;

a lactation/nursing interaction alert;

an alcohol conflict alert;

an insufficient quantity alert;

a sub-optimal regimen alert;

a drug-age alert;

a drug-pregnancy alert;

a sub-optimal drug/indication alert;

a sub-optimal dosage from alert; and

a drug-gender alert.

18. (canceled)

19. (original) The method of claim 1, the electronic prescription creation device being a personal digital assistant.

20.   (previously presented) A method comprising:

entering via an electronic prescription creation device a prescription for a drug;

viewing a drug use evaluation alert on a graphical user interface of the electronic prescription creation device;

entering via the electronic prescription creation device a reason for overriding the drug use evaluation alert; and

transmitting the prescription and a reason for overriding the drug use evaluation alert over a network directly to a prescription processor;

wherein the prescription processor, upon receipt of the prescription, attempts to process the prescription and actuates a second drug use evaluation, and if a resultant drug use evaluation alert is correspondent to said override of the user, the prescription processor processes the prescription.

21.   (previously presented) The method of claim 20, further comprising:

viewing on the graphical user interface a plurality of representations each corresponding to a motive for overriding the drug use evaluation alert, entering via the electronic prescription creation device the reason for overriding the drug use evaluation alert including selecting via the electronic prescription creation device at least one of the plurality of representations.

22.   (original) The method of claim 21, the plurality of representations including at least one of the following:

a representation that the patient is no longer taking a conflicting drug;

a representation that the patient is stabilized on the drug for the prescription;

a representation that the patient is not allergic to the drug for the prescription;

a representation that a dosage of the drug is appropriate for the patient's weight;

a representation that the dosage of the drug is appropriate for the patient's condition;

a representation that the patient is not pregnant;

a representation of a narrow therapeutic drug index;

a representation that a concurrent diagnosis prohibits another selection;

a representation of a failed therapy; and

a representation that the patient is unable to take another selection.

23. (canceled)

24. (previously presented) The method of claim 20, the prescription including an indication that a user has overridden the drug use evaluation alert.

25. (previously presented) A computer-readable medium having instructions stored thereon, the instructions when executed by an electronic prescription creation device cause the electronic prescription creation device to:

> create a prescription for a patient;
>
> present on a graphical user interface of the electronic prescription creation device a drug use evaluation alert;
>
> present on a graphical user interface a representation that queries whether a user desires to override the drug use evaluation alert;
>
> receive from the user an override of the drug use evaluation alert; ~~and~~
>
> receive from the user a reason for overriding the drug use evaluation alert; and
>
> transmit the prescription and override, and reason for overriding the drug use evaluation alert over a network directly to a prescription processor;
>
> wherein the prescription processor, upon receipt of the prescription, attempts to process the prescription and actuates a second drug use evaluation, and if a resultant drug use evaluation alert is correspondent to said override of the user, the prescription processor processes the prescription.

26. (original) The computer-readable medium of claim 25, the instructions when executed by the electronic prescription creation device further causing the electronic prescription creation device to:

> present on the graphical user interface a plurality of motives for overriding the drug use evaluation alert.

27. (original) The computer-readable medium of claim 26, the instructions when executed by the electronic prescription creation device further causing the electronic prescription creation device to:

> receive from the user a reason for overriding the drug use evaluation alert, the reason for overriding the drug use evaluation alert being at least one of the plurality of motives presented on the graphical user interface.

28. (original) The computer-readable medium of claim 26, the reason for overriding the drug use evaluation alert being at least one of:

an indication that the patient is no longer taking a conflicting drug;

an indication that the patient is stabilized on the drug for the prescription;

an indication that the patient is not allergic to the drug for the prescription;

an indication that a dosage of the drug is appropriate for the patient's weight;

an indication that the dosage of the drug is appropriate for the patient's condition; and

an indication that the patient is not pregnant;

an indication of a narrow therapeutic drug index;

an indication that a concurrent diagnosis prohibits another selection;

an indication of a failed therapy; and

an indication that the patient is unable to take another selection.

29. (previously presented) The computer-readable medium of claim 25, the instructions when executed by the electronic prescription creation device further causing the electronic prescription creation device to:

include with the prescription an indication that the user has overridden the drug use evaluation alert and the reason for overriding the drug use evaluation alert.

30. (original) The computer-readable medium of claim 29, the instructions when executed by the electronic prescription creation device further causing the electronic prescription creation device to:

include with the prescription the drug use evaluation alert.

31. (original) The computer-readable medium of claim 25, the prescription being an electronic prescription.

32. (canceled)

33. (canceled)

34. (previously presented) The computer-readable medium of claim 25, the instructions when executed by the electronic prescription creation device further causing the electronic prescription creation device to:

communicate to a workstation via a network the reason for overriding the drug use evaluation alert.

35.   (canceled)

36.   (previously presented) A computer-readable medium having instructions stored thereon, the instructions when executed by an electronic prescription creation device cause the electronic prescription creation device to:

create a prescription for a patient;

present on a graphical user interface of the electronic prescription creation device a plurality of representations each corresponding to a motive for overriding a drug use evaluation alert; and

receive from a user a selection of one of the plurality of representations; and

transmit the prescription and selected representation for overriding a drug use evaluation alert over a network directly to a prescription processor;

wherein the prescription processor, upon receipt of the prescription, attempts to process the prescription and actuates a second drug use evaluation, and if a resultant drug use evaluation alert is correspondent to said override of the user, the prescription processor processes the prescription.

37.   (canceled)

38.   (previously presented) A method comprising:

receiving from an electronic device configured to create prescriptions for patients a prescription, and an indication that a user of the electronic device has overridden a drug use evaluation alert, and a reason for overriding the drug use evaluation alert;

attempting to process the prescription by actuating a second drug use evaluation; and if a resultant drug use evaluation alert is correspondent to said override of the user, processing the prescription;

wherein the user entered a prescription via an electronic prescription creation device; viewed a drug use evaluation alert on a graphical user interface of the electronic prescription creation device; viewed on the graphical user interface a query of whether the user desired to override the drug use evaluation alert; entered an override of the drug use evaluation alert via the electronic prescription creation device; entered a reason for overriding the drug use evaluation alert; and transmitted the prescription, override, and reason for overriding the drug use evaluation alert over a network directly to a prescription processor.

39.   (canceled)

40.   (currently cancelled) ~~The method of claim 39, the reason being received by a service provider of software for the electronic device.~~

41.   (canceled)

42.   (previously presented) The method of claim 38, the indication and reason being received by a pharmacy.

43.   (previously presented) The method of claim 42, further comprising forwarding the indication and reason to at least one of a pharmacy benefit management company and a claims processor.

44.   (previously presented) The method of claim 38, the indication and reason being received by a service provider of software for the electronic device.

45.   (previously presented) A computer data signal embodied in a computer readable medium comprising:

computer-readable program code causing an electronic prescription creation device to create an electronic prescription;

computer-readable program code causing an electronic prescription creation device to present a user of the electronic prescription creation device a drug use evaluation alert;

computer-readable program code for causing an electronic prescription creation device to query whether the user desires to override the drug use evaluation alert;

computer-readable program code for causing an electronic prescription creation device to receive an override of the drug use evaluation alert;

computer-readable program code for receiving from the user a reason for overriding the drug use evaluation alert; and

computer-readable program code for transmitting the override and selected representation for overriding the drug use evaluation alert over a network directly to a prescription processor;

wherein the prescription processor, upon receipt of the prescription, attempts to process the prescription and actuates a second drug use evaluation; and if a resultant drug use evaluation alert is correspondent to said override of the user, the prescription processor processes the prescription.

46.   (canceled)

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47.   (previously presented) An apparatus comprising:

an electronic device configured to create prescriptions, the electronic device including means for querying whether the user desires to override the drug use evaluation alert, the electronic device including means for receiving an override for the drug use evaluation, the electronic device including means for receiving a reason for overriding the drug use evaluation alert, the electronic device including means for transmitting the override for the drug use evaluation and the reason for overriding the drug use evaluation alert over a network directly to a prescription processor;

wherein the prescription processor, upon receipt of the prescription, attempts to process the prescription and actuates a second drug use evaluation, and if a resultant drug use evaluation alert is correspondent to said override of the user, the prescription processor processes the prescription.

48.   (canceled)

49.   (currently amended) Computer executable software code stored on a computer readable medium of an electronic prescription creation device comprising the code for generating a graphical user interface, wherein the graphical user interface comprises:

at least one representation querying whether a user desires to override a drug use evaluation alert;

at least one representation for receiving a reason for overriding the drug use evaluation alert;

at least one representation allowing the user to transmit the override and reason for overriding over a network directly to a prescription processor.

50.   (canceled)

51-88. (canceled)

89.   (previously presented) A method comprising:

entering via an electronic prescription creation device a prescription for a drug;

viewing a drug use evaluation alert on a graphical user interface of the electronic prescription creation device;

viewing on the graphical user interface a query of whether a user desires to override the drug use evaluation alert;

entering via the electronic prescription creation device an override of the drug use evaluation alert;

entering via the electronic prescription creation device a reason for overriding the drug use evaluation alert;

creating a paper prescription printed with a printer in communication with the electronic prescription creation device containing the override and the reason for overriding.

90.   (previously presented) The method of claim 20 wherein the prescription includes information communicating the drug use evaluation alert.

91.   (previously presented) A computer-readable medium having instructions stored thereon, the instructions when executed by an electronic prescription creation device cause the electronic prescription creation device to:

create a prescription for a patient;

present on a graphical user interface of the electronic prescription creation device a drug use evaluation alert;

present on a graphical user interface a representation that queries whether a user desires to override the drug use evaluation alert;

receive from the user an override of the drug use evaluation alert; and

receive from the user a reason for overriding the drug use evaluation alert; and

create a paper prescription printed with a printer in communication with the electronic prescription creation device containing the override and the reason for overriding.

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STATUS OF THE CLAIMS

Claims 1-9, 14, 16, 17, 19-22, 24-31, 34, 36, 38, 42-45, 47, 49, and 89-91 are presently pending. Claims 16 and 40 are herein cancelled. Claims 10-13, 15, 16, 18, 23, 32-33, 35, 37, 39-41, 46, 48, and 50-88 were previously cancelled.

Claim 16 is presently objected to as having an improper dependency. Claim 40 is presently objected to as having an improper dependency. Claims 16 and 40 are herein cancelled.

Claim 16 was rejected under 35 U.S.C. § 112, as failing to have antecedent basis for the term "the information." As claim 16 has herein been cancelled, the rejection is believed moot.

Claims 1-2, 9, 14, 16-17, 19-21, 24-27, 29-31, 34, 36, 38, 40, 42-45, 47, 49, and 90 stand rejected under 35 U.S.C. § 103(a) as obvious over combinations of Goetz et al. (U.S. Pat. No. 6,421,650), Lion (U.S. Pat. No. 6,330,491), Engelson et al. (U.S. Pat. No. 6,671,536), Edelson et al. (U.S. Pat. No. 5,737,539), and Simcox (U.S. Pat. No. 5,992,890).

Reconsideration of the present Application is respectfully requested.